

April 30, 2012

The Honorable Andrew W. Roraback
State Senator
Co-Chair, Legislative Regulations Review Committee
Room 3400, Legislative Office Building
Hartford, Connecticut 06106

The Honorable Paul Davis
State Representative
Co-Chair, Legislative Regulations Review Committee
Room 4045, Legislative Office Building
Hartford, Connecticut 06106

Dear Senator Roraback and Representative Davis:

Re: 2012-7, Underground Storage Tanks

Pursuant to Section 4-170 of the Connecticut General Statutes, I hereby resubmit for the Legislative Regulations Review Committee's consideration and approval proposed regulation revisions regarding secondary containment and operator training for covered underground storage tanks (USTs). These regulatory revisions were previously rejected without prejudice by the Regulation Review Committee at its April 24, 2012 meeting. The Department has made revisions to its original proposal to address the issues that I understand formed the basis for the committee's previous action, namely those identified in the recommendation of the Legislative Commissioner's Office.

The proposed revisions to the regulations, authorized by Section 22a-449(d) of the Connecticut General Statutes, require secondary containment sumps for UST system components, and establish an operator training requirement for operators of UST systems. These revisions are intended to bring Connecticut into compliance with the UST provisions of the federal Energy Policy Act. This federal law requires states to promulgate requirements related to secondary containment and operator training in order to continue to receive federal funds to oversee UST compliance. In addition, the proposed regulations clarify and simplify certain aspects of the applicability of the regulations. USTs represent a risk of impact to groundwater if they fail, and groundwater is the primary source of drinking water for more than 1 million Connecticut residents. This possibility of groundwater contamination represents significant potential costs to UST owners and operators, as well as the taxpayers of the State of Connecticut. The secondary containment systems and operator training contemplated in the proposed regulations will help reduce this risk of groundwater impacts.

If I can be of any further assistance, please contact the Department's legislative liaison, Robert LaFrance, via e-mail at robert.lafrance@ct.gov or by telephone at (860) 424-3401. I thank you in advance for your consideration.

Sincerely,

s/s/April 30, 2012

Daniel C. Esty
Commissioner

Enclosures

cc: The Honorable Senator Edward Meyer
The Honorable Representative Richard Roy
Marcy Picano, Office of Fiscal Analysis
Robert LaFrance, Legislative Liaison, DEEP
Yvonne Bolton, Chief, Bureau of Materials Management and Compliance Assurance, DEEP